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10/766,863	01/30/2004	Harald Hinderer	07781.0139-00	3915
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EXAMINER				
ONYEZIA, CHUKS N				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/766,863

Applicant(s)

HINDERER ET AL.

Examiner

CHUKS ONYEZIA

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,10-16,18-25 and 27-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,10-16,18-25 and 27-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In the amendment filed 12/15/2008, applicant has made no amendments to the claims. Claims 1,2,4-8,10-16, 18-25, and 27-29 are presented and have been considered for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 6-10, 12-15, and 27 rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al. U.S. Patent Number 5,615,408 (PTO-892 Reference A).

4. As per claim 1, Johnson teaches a credit management system for managing information relating to credit of a customer comprising:

a credit information manager, said credit information manager managing information relating to a credit limit and credit scoring of said customer (See Johnson Col. 57 Lns 19-24);

a credit limit manager, said credit limit manager managing credit limit master data and calculating open and used credit for said customer (Johnson Col. 9 Lns 44-54);

credit decision support, said credit decision support performing analyses of accounting information relating to said customer (Johnson Col. 57 Lns. 25-33); and

a credit rules engine, said credit rules engine applying credit rules to the credit information, the credit limit master data and calculated open and used credit, and the accounting information relating to said customer to generate internal scoring and internal credit limits (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17), It is the Examiner's interpretation that the formulation of credit score and risk is a function of calculating open and used credit of a user.

5. As per claim 2, Johnson teaches the above limitations of claim 1. Johnson further teaches said credit information comprises external credit scoring (Johnson Col. 8 Lns 43-57).

6. As per claim 3, (Cancelled)

7. As per claim 4, Johnson teaches the above limitations of claim 1. Johnson further teaches said accounting information comprises sales volume information (Johnson Col. 20 Lns 58-64), dunning information (Johnson Col. 8 Lns 57-59), and payment history information (Johnson Col. 10 Lns 46-56).

8. As per claim 6, Johnson teaches a method of automatically performing a credit check relating to a customer, said method being designed to be run on a computerized platform and comprising the steps of:

obtaining an external credit scoring from at least one external credit information provider (Johnson Col. 8 Lns 43-57);

obtaining information relating to calculated open and used credit for said customer; (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17),

obtaining accounting information relating to said customer from at least one source (Johnson Col. 57 Lns 19-24);

applying a credit scoring rule to said external credit scoring, said calculated open and used credit, and said accounting information to calculate an internal credit limit; and storing said internal credit limit (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17).

9. As per claim 7, Johnson teaches the above limitations of claim 6. Johnson further teaches said applying a credit scoring rule step comprises calculating an internal credit scoring prior to calculating said internal credit limit and utilizing said internal credit scoring to calculate said internal credit limit (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17).

10. As per claim 8, Johnson teaches the above limitations of claim 7. Johnson further teaches step of storing said internal credit scoring (Johnson Col. 8 Lns 65-67).

11. As per claim 9, (Cancelled).

12. As per claim 10, Johnson teaches the above limitations of claim 6. Johnson further teaches said accounting information comprises sales volume information (Johnson Col. 20 Lns 58-64), dunning information (Johnson Col. 8 Lns 57-59), and payment history information (Johnson Col. 10 Lns 46-56).

13. As per claim 12, Johnson teaches a method of automatically updating a customer's credit scoring, said method being designed to be run on a computerized platform and comprising the steps of:

receiving an updated external credit scoring from at least one external credit information provider (Johnson Col. 8 Lns 43-57);

storing said updated external credit scoring (Johnson Col. 8 Lns 43-57);

receiving information relating to calculated open and used credit for said customer; storing said calculated open and used credit information (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17

retrieving updated accounting information relating to said customer (Johnson Col. 57 Lns 19-24);

calculating a new internal credit scoring based upon said updated external credit scoring, said calculated open and used credit information, and said updated accounting information; and storing said new internal credit scoring (Johnson Col. 8 Ln. 57-Col. 9 Ln. 17).

14. As per claim 13, Johnson teaches the above limitations of claim 12. Johnson further teaches requesting said updated external credit scoring from said at least one external credit information provider (Johnson Col. 9 Lns 5-17).

15. As per claim 14, Johnson teaches the above limitations of claim 13. Johnson further teaches determining if said internal credit scoring is still valid (Johnson Col. 9 Lns 18-23);

determining if said customer is active (Johnson Col. 9 Lns 23-25); and

if said customer is not active, adding said customer to an inactive list and not updating said customer's internal credit scoring (Johnson Col. 9 Lns 25-29).

16. As per claim 15, Johnson teaches the above limitations of claim 14. Johnson further teaches if said customer is not active, erasing a stored credit limit and credit scoring for said customer (Johnson Col. 9 Lns 24-29) examiner interprets the movement to an error log and handling service as a quarantine or erasure.

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17. As per claim 27, Johnson teaches the above limitations of claim 19. Johnson further teaches a plurality of different systems may provide said accounting information (Johnson Col. 8 Lns 43-52).

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

18. Claims 28 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Pillay et al. U.S. Patent Publication No. 2002/0042763 A1 (PTO-892 Reference B)

19. As per claim 28, Johnson teaches a method of automatically preparing a credit checklist for a service provider, said method being designed to be run on a computerized platform and comprising the steps of:

obtaining information from an accounts receivable system
(see Pillay ¶ [0044]);

obtaining information from a billing system (Pillay ¶ [0037]); and

taking information relating to a predetermined volume of customers, critical customers' information, and suspicious customers' information and preparing a report therefrom (Pillay ¶ [0059] and [0066]).

20. As per claim 29, Johnson teaches the above limitations of claim 28. Johnson further teaches said predetermined volume comprises a predetermined percentage of said customers (Pillay ¶

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[0006]) examiner interprets the providing of reports to all customers a predetermined percentage of 100%.

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

22. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. U.S. Patent Number 5,615,408 (PTO-892 Reference A) in view of Natsuno U.S. Patent Number 7,231,202 B2 (PTO-892 Reference C).

23. As per claim 5, Johnson teaches the above limitations of claim 1. However, Johnson does not teach said information input comprises customer profession and age information. Natsuno teaches this limitation (see Natsuno Col. 8 Lns. 14-25). One of ordinary skill in the arts would have found motivation to combine these teaching for the purpose of managing credit information of system subscribers (see Natsuno Col. 6 Lns. 42-46).

24. As per claim 11, Johnson teaches the above limitations of claim 6. However, Johnson does not teach said information relating to said customer comprises profession and age

information. Natsuno teaches this limitation (see Natsuno Col. 8 Lns. 14-25). One of ordinary skill in the arts would have found motivation to combine these teaching for the purpose of managing credit information of system subscribers (see Natsuno Col. 6 Lns. 42-46).

25. Claims 16, and 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. U.S. Patent Number 5,615,408 (PTO-892 Reference A) in view of Mills et al. U.S. Patent Number 7,024,386 (PTO-892 Reference G).

26. As per claim 16, Johnson teaches a method of automated credit limit monitoring for a customer, said method being designed to be run on a computerized platform and comprising the steps of:

- receiving accounting information, said accounting information collectively providing an indication of exposure for said customer (Johnson Col. 57 Lns. 19-24);

- calculating a total exposure from said accounting information (Johnson Col. 8 Ln. 57- Col. 9 Ln. 17);

- determining if said total exposure is within a predetermined level of said credit limit or higher (Johnson Col. 9 Lns 41-62);

- if said total exposure is within a predetermined level of said credit limit or higher, triggering an event for follow-up,

and updating credit scoring and credit limit for said customer (Johnson Col. 9 Lns 41-62). However Johnson does not disclose wherein said accounting information comprises data relating to at least one of open items, new orders, and unbilled and billed but not posted items. Mills discloses credit limits based on new trades (see Mills Col 19 Lns 19-27). It would have been obvious to One of ordinary skill in the arts to combine these teachings for the purpose of continued monitoring credit risk.

27. As per claim 18, Johnson and Mills teach the above limitations of claim 16. Johnson further teaches setting a new validity date for said updated credit scoring and credit limit (Johnson Col. 9 Lns 8-17).

28. As per claim 19, Johnson teaches a method of automated exposure monitoring for monitoring credit exposure of a service provider, said method being designed to be run on a computerized platform and comprising the steps of:

obtaining accounting information relating to a customer (Johnson Col. 8 Lns 57-59);

calculating an accounting information total (Johnson Col. 15 Lns 27-34);

determining if said accounting information total exceeds a credit limit of said customer (Johnson Col. 9 Lns 41-62);

if said accounting information total does exceed said credit limit, triggering an event (Johnson Col. 9 Lns 41-62).

However Johnson does not disclose wherein said accounting information comprises data relating to at least one of open items, new orders, and unbilled and billed but not posted items. Mills discloses credit limits based on new trades (see Mills Col 19 Lns 19-27). It would have been obvious to One of ordinary skill in the arts to combine these teachings for the purpose of continued monitoring credit risk.

29. As per claim 20, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said event comprises storing said accounting information total (Johnson Col. 15 Lns 42-47).

30. As per claim 21, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said event comprises storing a difference between said accounting information total and said credit limit (Johnson Col. 15 Lns 42-47).

31. As per claim 22, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said method is run upon said customer placing a new order (Johnson Col. 6 Lns 1-14).

32. As per claim 23, Johnson and Mills teach the above limitations of claim 22. Johnson further teaches if said accounting information total does not exceed said credit limit, said new order is approved (Johnson Col. 9 Lns 46-51).

As per claim 24, Johnson and Mills teach the above limitations of claim 19. However, Johnson does not teach said event comprises declining said new order. Mills discloses disallowing a deal or order if there is insufficient credit (see Col. 11 Lns 1-12). It would have been obvious to combine the teachings of Johnson with Mills for the purpose of protecting from credit risk.

33. As per claim 25, Johnson and Mills teach the above limitations of claim 19. Johnson further teaches said method is run periodically (Johnson Col. 9 Lns 8-11).

34. Claim 26 (Cancelled).

Response to Arguments

35. Applicant's arguments filed 12/15/2008 have been fully considered but they are not persuasive.

36. Applicant argues that:

As it pertains to claim 1, Johnson fails to teach or suggest the claimed "credit limit manager" or any form of manager for "calculating open and used credit for said customer,".

Examiner responds that:

It is on the examiners interpretation that applicant's intent is for claim 1 to be a system with limitations to physical system components. Johnson teaches credit limit management that calculates new credit limits as a function of credit score and credit risk changes which is done on an interface and computer system (see Col. 9, Lns 44-57). Examiner notes that the limitation "for calculating open and used credit" represents intended use which holds no patentable weight because the interface computer system is capable of performing that task.

37. Applicant argues that:

As it pertains to claims 28-29, Pillay does not teach or suggest "obtaining information from an accounts receivable system" and "obtaining information from a billing system." Furthermore, Pillay fails to disclose "taking information relating to a predetermined volume of customers, critical customers' information, and suspicious customers' information and preparing a report therefrom,

Examiner responds that:

Pillay does in fact teach

- ✓ receiving user account receivables information from the central processing computer (§[0044] The database 10H of

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the central processing computer 10 can contain . . . user accounts receivables information),

- ✓ receiving billing information sources from an information provider computer (§[0037] The apparatus 100 can also include an information provider computer 30 which . . . billing information sources or providers), and
- ✓ creating a report for a predetermined number of one or more customers (§[0066]). Examiner interprets that the predetermined volume of customers is equivalent to the one or more customers of Pillay.

Conclusion

38. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUKS ONYEZIA whose telephone number is (571)270-1372. The examiner can normally be reached on Monday - Thursday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. Onyezia/
Examiner, Art Unit 3691

/Alexander Kalinowski/
Supervisory Patent
Examiner, Art Unit 3691